

Willis, Chris

From: Smith, Justin
Sent: Thursday, August 03, 2017 5:03 PM
To: McCullers, Zhaleh; Willis, Chris
Cc: Petelos, Tony
Subject: RE: Big Sky Hauling - Bio-solids transfer station

Thanks for the follow up.

From: McCullers, Zhaleh
Sent: Thursday, August 03, 2017 4:58 PM
To: Smith, Justin <smithjd@jccal.org>; Willis, Chris <willisc@jccal.org>
Cc: Petelos, Tony <petelost@jccal.org>
Subject: FW: Big Sky Hauling - Bio-solids transfer station

All,
Our staff have been working on this case and after talking with all of them(Benny, Michael and Mandy), I asked Benny to provide me with the full report so we can share it with both of you.
Please see below email that Benny has sent to me.
If there is additional information come to surface please let us know.
I believe we have concluded our investigation on this complaint and my staff did a superb job checking out everything related to this issue.

*Thanks,
Zhaleh*

From: Sorrell, Benny
Sent: Thursday, August 03, 2017 4:28 PM
To: McCullers, Zhaleh <mccullersz@jccal.org>
Cc: Morrison, Michael <morrisonm@jccal.org>; Gunter, Jeff <gunterj@jccal.org>; Elledge, Mandy <Mandy.Elledge@jccal.org>
Subject: Big Sky Hauling - Bio-solids transfer station

Zhaleh,

I visited the site today to investigate the complaint received from Commissioner Stephens' office regarding the activities taking place involving the transfer of bio-solids (fertilizer) from rail to truck. I met and spoke with Shannon Humphrey of Big Sky. He said they receive Class A and Class B fertilizer here. Class A fertilizer is a clean fertilizer that is free of pathogens and can be applied directly on crops used for food. Class B fertilizer is 99% free of pathogens and it must "compost" for several months before it's allowed to be placed on crops used for food. But either one can be used immediately for land reclamation projects. It's brought in by rail where the containers are off loaded onto tractor trailers and then hauled to the Big Sky landfill (which is in the city of Adamsville) just a few miles away. He has two tractor trailer rigs that run back and forth between the two sites. Mr. Humphrey said they do have all appropriate permits that are required. The property is zoned I-3 which is an appropriate zoning for this type of activity. The only caveat is that in 1988 (Z-1988-023) when the property was zoned to I-3, a restrictive covenant was put in place restricting it to a pulpwood yard only. So the site is in violation due to that covenant. I informed Mr. Humphrey of the covenant and gave him a copy of the decision letter imposing the restriction. I explained to continue operations that they would need to rezone the property to remove the restrictive covenant. I gave Mr. Humphrey a copy of the rezoning requirements and told

them to contact Michael for further information. I gave Mr. Humphrey 14 days to file for a rezoning or cease operations. Mr. Humphrey said they will do anything to comply with the regulations. Mr. Humphrey indicated that they would like to locate a larger site in order to expand the operations and are currently looking for a site. Mr. Humphrey also said that he has spoken with the 2 property owners directly across the street and neither one of them have a problem with the operations taking place.

I observed the operations while I was there and it is simply taking a container filled with fertilizer from the train and using a specialized lift truck and loading onto the tractor trailer rig. The shipping containers can best be described as an open top dumpster with a sealing door. There is a tarp over the top of the container. There were approximately 20 containers of fertilizer on a total of 8 rail cars on site at the time of my visit. There was no evidence of any spills on site nor any evidence of leaking containers around the railcars. Mr. Humphrey did say they recently had a spill from one of the containers while being hauled to the landfill. He said it was a malfunction with the container and they are no longer using that shipping container supplier anymore. I did drive the route the trucks take from the transfer station to the landfill and I observed no evidence of any spills or bio-solids in the roadway or on the shoulder.

Benny Sorrell

Jefferson County Development Services
Inspections & Enforcement Division
Office (205) 325-5638
Cell (205) 506-8381

Willis, Chris

From: McCullers, Zhaleh
Sent: Wednesday, August 02, 2017 1:35 PM
To: Willis, Chris
Subject: RE: West Jefferson Situation...

We sure will. Thank you Chris

*Thanks,
Zhaleh*

From: Willis, Chris
Sent: Wednesday, August 02, 2017 1:27 PM
To: McCullers, Zhaleh <mccullersz@jccal.org>
Cc: Smith, Justin <smithjd@jccal.org>; Denard, David <denardd@jccal.org>; Morrison, Michael <morrisonm@jccal.org>; Elledge, Mandy <Mandy.Elledge@jccal.org>; Sorrell, Benny <sorrellb@jccal.org>
Subject: Re: West Jefferson Situation...

If I'm not mistaken the incident that Mandy checked into last week with ADEM was one of our vehicles transporting sludge cakes to a neighboring facility. It is my understanding the material that is being transported from up north is a more liquified product as it is sloshing onto the roadway. Another concern that we keep receiving is once it reaches the road it is being washed into the ditches by adamsville fire which flows directly into the little warrior river.

Please keep me informed on this matter.

Thanks
Chris

Sent from my iPhone

On Aug 2, 2017, at 13:18, McCullers, Zhaleh <mccullersz@jccal.org> wrote:

Please see below the information that Michael provided. In addition to phone message that Justin transferred, we have received an email from Chris Willis about this.
Mandy, Benny and Michael are all working on this case.
Will keep you all posted as what we have done or find out.

*Thanks,
Zhaleh*

From: Morrison, Michael
Sent: Wednesday, August 02, 2017 11:44 AM
To: McCullers, Zhaleh <mccullersz@jccal.org>
Cc: Sorrell, Benny <sorrellb@jccal.org>; Elledge, Mandy <Mandy.Elledge@jccal.org>
Subject: West Jefferson Situation...

Zhaleh,

Yesterday I received a phone call and follow-up email (below) from Commissioner Stephens office regarding a situation out in the West Jefferson area. The Commissioner's office has been receiving reports of human waste being received via railroad at a property zoned I-3 (Industrial). The material is

received by transfer trucks, who take the material to the landfill off of Flat Top Road in Adamsville. While distribution facilities would typically be allowed in I-3, the property has a zoning covenant that restricts use of the property to a "pulpwood yard only", and thus any distribution facility would be contrary to the covenant, which constitutes a zoning violation. I have made Benny aware of the situation and he is going to investigate the site.

The reports of human waste are somewhat conflicting. Mandy was called out to the area last week following a truck accident where sludge cakes (the byproduct of sewage treatment) had spilled onto the roadway in the area. She had consulted with ADEM regarding the situation, and all was in compliance with environmental regulations. However, Chris Willis in Commissioner Stephens office seems to think that the materials being transported in are NOT the sludge cakes and are a more "untreated" form of human waste. After discussing the issue with Mandy, I briefed Benny on the situation and asked him to pay attention to any material that is being transferred at the site from rail to truck. We are prepared to issue a zoning violation following the findings of the investigation of the site. Should the property be found in violation, the property owner would have to cease and desist all activity, or apply for rezoning of the property.

I just wanted to keep you informed of the situation.

Michael R. Morrison – Planner/Acting Zoning Administrator

Jefferson County Commission / Department of Development Services

Room B-200 Courthouse / 716 Richard Arrington Jr. Blvd. N / Birmingham, AL 35203

(205)325-5638

From: Morrison, Michael

Sent: Tuesday, August 01, 2017 2:59 PM

To: Sorrell, Benny <sorrellb@jccal.org>

Cc: McCullers, Zhaleh <mccullersz@jccal.org>; Elledge, Mandy <Mandy.Elledge@jccal.org>; Willis, Chris <willisc@jccal.org>

Subject: FW: Big Sky Trucking

Benny –

See e-mail below, we just need to verify that this end of the operation is taking place on this property. When you get a chance to check it out, PLEASE pay attention to the material transferred from rail to truck given the environmental concerns.

I, Mandy, and ADEM are under the impression that the material is the "sludge cake" that has been treated. We just need to verify that is the case, as best we can.

I am going to have to pull the case file to verify, but my "unofficial" minutes of the County Commission indicate this property has a covenant for a "pulp-wood yard only". I'll let you know what I find out.

Thanks for all you do, and do not hesitate to contact me if you need back up.

Michael R. Morrison – Planner/Acting Zoning Administrator

Jefferson County Commission / Department of Development Services

Room B-200 Courthouse / 716 Richard Arrington Jr. Blvd. N / Birmingham, AL 35203

(205)325-5638

From: Willis, Chris

Sent: Tuesday, August 01, 2017 2:52 PM

To: Morrison, Michael <morrisonm@jccal.org>; McCullers, Zhaleh <mccullersz@jccal.org>

Subject: Big Sky Trucking

Guys,

We have a serious issue at Big Sky environmental out in Adamsville. We continue to receive numerous calls regarding them hauling in human waste, and it spilling on the road during transport. I am not sure what can be done by ADEM, but we get numerous calls about this daily. The most recent call was inquiring about the property at 5566 Snowville Brent Road which is apparently where this is being shipped to via train, offloaded then placed onto 18 wheelers and trucked to what I believe is 5100 Flat top road. Apparently these trucks are coming and going from roughly from 6:30a to 6:00p. He said this occurs most days, and they don't have enough room at the rail yard to bring in more than they currently are. Please see what we can do about this.

Thanks

Chris

Christopher Willis

Chief of Staff to Jimmie Stephens
Jefferson County Commissioner, District 3

716 Richard Arrington Jr. Blvd. N.
Suite 210 Courthouse
Birmingham, AL 35203
205-325-5555 (Office)
205-862-2170 (Mobile)
205-325-4860 (Fax)

Grainger, Brent

From: Williamś, Evan
Sent: Thursday, September 07, 2017 3:33 PM
To: Adamsville Clerk; Allen Pate; Alvin Currington; Boozer, Ken; Brad Watson; Burleson, Kathy; Center Point Mayor; Centger Point Clerk; City Clerk; Clayton, Yolanda; Connelly, Ed; Conrad Garrison; Dan Weinrib; Demetra Mixon-Warrior Clerk; Diliberto, Millie; Dipiazza, John; Doyle, Virginia; Echols, Kevin; Elledge, Mandy; Ellis, Betty; Gunter,Jeff; Haley, Drew; Hardy, Lawanda; hazend@mtnbrook.org; Hoyt Sanders; Hueytown Clerk; Huntley, Horace; James Stewart-Irondale Clerk; jhfcity@bellsouth.net; Karen Duncan-Pleasant Grove Clerk; Kathy Dumas-Graysville Clerk; Abel, Laura; Lawson, Lori; Lawson, Theodore; Lynn Porter-Trussville Clerk; M G Research; Margie Handley-Hoover Clerk; McCullers, Zhaleh; Melody Salter (melody.salter@homewoodal.org); Mixon, Richard; Morrison, Michael; Nichalaus Sims; Pate, Tracy; Peggy Shadix-Sylvan Springs Clerk; Petelos, Tony; Phillips, Othell; Pinson Council 2; Pinson Council1; Pinson Council4; Pinson Council5; randyh@cahabariversociety.org; Rebecca Leavings-Clerk; Richardson, Philip; Robert Ryant-Gardendale Bldg Insp; Ronnie Dixon-Clay Manager; Ruthie Sexton; Sandy Waid-Kimberly Clerk; Smith, Shawnna; Sorrell, Benny; Tim Ferlisi; Vanessa Bradstreet-Hoover; Wadlington, Karen; Williams, Evan; Willis, Chris; Wynn, Connie; Brian Debrow; Markert, Cal; Forsyth, Christie; Jay Miller; Jeremy Wright; Joe Young; Lance Huey; Marquelon Sigler (masigl4179@gmail.com); Martin Evans; Melodie Echols; Trudy Strain
Subject: Jefferson County Planning and Zoning Commission Decisions and Recommendations Today

DECISIONS AND RECOMMENDATIONS BY THE JEFFERSON COUNTY PLANNING AND ZONING COMMISSION on September 7, 2017

SUBDIVISION DECISIONS

S-2017-029 Mathers & Taylor Subdivision; Brad Taylor & Amy Mathers, owners; Brad Taylor, designated plat representative. Parcel #: 04-28-0-000-024.006, in Section 28, T14S-R4W. One (1) lot proposed; currently zoned A-1 (Agriculture). (Case only: 7520 Old Bagley Road; Empire, AL 35063) (Corner) (2.08 acres M/L)

APPROVED

Subject to technical corrections as required by other reviewing department/agencies.

S-2017-030 Hodge Family Subdivision with an exception for no road frontage (Lot 2); Phillip E. & Evelyn Hodge, owners; Shea Serian, designated plat representative. Parcel #: 02-23-4-000-002.003 & 002.007, in Section 23, T14S-R2W. Two (2) lots proposed; currently zoned A-1 (Agriculture). (Case only: 3231 Smith Mill Road; Trafford, AL 35172) (Trafford) (14.30 acres M/L)

APPROVED

Subject to technical corrections as required by other reviewing department/agencies.

S-2017-031 Miles Drive Subdivision; Wayne Short, owner; Steven Jackson, designated plat representative. Parcel #: 19-35-0-000-007.000 & 008.000, in Section 35, T17S-R6W. Three (3) lots proposed; currently zoned A-1 (Agriculture). (Case only: 405 & 413 Miles Drive; Bessemer, AL 35023) (Gilmore) (14.36 acres M/L)

APPROVED

Subject to technical corrections as required by other reviewing department/agencies.

S-2017-032 Luke Wayne Goodwin Resurvey with an exception for no road frontage; Luke Wayne Goodwin, owner/designated plat representative. Parcel #: 19-22-0-000-010.000, in Section 22, T17S-R6W. One (1) lot proposed; currently zoned A-1 (Agriculture) (Case only: 1440 Flem Vines Road; Adger, AL 35130) (Adger) (1.54 acres M/L)

APPROVED

Subject to technical corrections as required by other reviewing department/agencies.

SPECIAL USE DECISIONS

Z-2017-026 Rogelio T. Dieguez, owner requests a special exception to allow a digital display along a roadway not designated for such. Parcel ID# 28-32-3-002-048.000 in Section 32 Twp 18 Range 2W, property is zoned C-1 (Commercial). (Site Only: 2488 Rocky Ridge Road, AL 35243)(Rocky Ridge)(0.41 Acres M/L)

APPROVED

ZONING RECOMMENDATIONS

Z-2017-025 Hoar Construction Company, owner; Steve McCord, agent requests a change of zoning of Parcel ID#s 38-20-1-008-008.000, 005.000, 005.001, 005.002, 005.003, 005.004 in Section 20 Twp 19 Range 4W from A-1 (Agricultural) to I-1 (Light Industrial) for compliance and expansion of existing contractors yard. (Site Only: 726 Marshall Street Bessemer, AL 35020)(Eastern Valley)(5.3 Acres M/L)

RECOMMEND APPROVAL

Z-2017-027 Sumiton Timber Company, Inc., owner; Al Leo, agent requests a change of zoning of Parcel ID# 5-35-0-000-014.000 in Section 35 Twp 15 Range 5W from I-3 (Industrial) with restrictive covenants to I-O (Obnoxious Odors) for intermodal facility for a waste management company. (Site Only: 5570 Snowville Brent Road, Dora, AL 35062)(Littleton)(4.66 Acres M/L)

RECOMMEND DENIAL

Finding: The odor caused by the proposed use would have a significant negative impact on the surrounding properties.

Grainger, Brent

From: Williams, Evan
Sent: Wednesday, August 30, 2017 3:05 PM
To: Adamsville Clerk; Allen Pate; Alvin Currington; Boozer, Ken; Brad Watson; Burleson, Kathy; Center Point Mayor; Centger Point Clerk; City Clerk; Clayton, Yolanda; Connelly, Ed; Conrad Garrison; Dan Weinrib; Demetra Mixon-Warrior Clerk; Diliberto, Millie; Dipiazza, John; Doyle, Virginia; Echols, Kevin; Elledge, Mandy; Ellis, Betty; Gunter,Jeff; Haley, Drew; Hardy, Lawanda; hazend@mtnbrook.org; Hoyt Sanders; Hueytown Clerk; Huntley, Horace; James Stewart-Irondale Clerk; jhfcity@bellsouth.net; Karen Duncan-Pleasant Grove Clerk; Kathy Dumas-Graysville Clerk; Abel, Laura; Lawson, Lori; Lawson, Theodore; Lynn Porter-Trussville Clerk; M G Research; Margie Handley-Hoover Clerk; McCullers, Zhaleh; Melody Salter (melody.salter@homewoodal.org); Mixon, Richard; Morrison, Michael; Nichalaus Sims; Pate, Tracy; Peggy Shadix-Sylvan Springs Clerk; Petelos, Tony; Phillips, Othell; Pinson Council 2; Pinson Council1; Pinson Council4; Pinson Council5; randyh@cahabariversociety.org; Rebecca Leavings-Clerk; Richardson, Philip; Robert Ryant-Gardendale Bldg Insp; Ronnie Dixon-Clay Manager; Ruthie Sexton; Sandy Waid-Kimberly Clerk; Smith, Shawnna; Sorrell, Benny; Tim Ferlisi; Vanessa Bradstreet-Hoover; Wadlington, Karen; Williams, Evan; Willis, Chris; Wynn, Connie
Subject: Jefferson County Planning and Zoning Commission Agenda for September 7th, Part 2

NEW REZONING CASES

Z-2017-025 Hoar Construction Company, owner; Steve McCord, agent requests a change of zoning of Parcel ID#s 38-20-1-008-008.000, 005.000, 005.001, 005.002,005.003, 005.004 in Section 20 Twp 19 Range 4W from A-1 (Agricultural) to I-1 (Light Industrial) for compliance and expansion of existing contractors yard. (Site Only: 726 Marshall Street Bessemer, AL 35020)(Eastern Valley)(5.3 Acres M/L)

Z-2017-026 Rogelio T. Dieguez, owner requests a special exception to allow a digital display along a roadway not designated for such. Parcel ID# 28-32-3-002-048.000 in Section 32 Twp 18 Range 2W, property is zoned C-1 (Commercial). (Site Only: 2488 Rocky Ridge Road, AL 35243)(Rocky Ridge)(0.41 Acres M/L)

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NOTE:

ALL OWNERS OF PROPERTIES WITHIN 500 FEET OF
THOSE IDENTIFIED ABOVE HAVE BEEN NOTIFIED;

SIGNS ARE POSTED ON ALL PROPERTIES;
ALL ACREAGES ARE APPROXIMATE.